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**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,	)	Case No. 51-cv-1247-GPC-RBB
	)	
Plaintiff,	)	
	)	<b>JOINT MOTION TO EXTEND STAY</b>
RAMONA BAND OF CAHUILLA,	)	
CAHUILLA BAND OF INDIANS,	)	
federally recognized Indian tribes,	)	Hearing Date: No hearing date set
	)	Time:
Plaintiffs in Intervention,	)	Courtroom: 2D
	)	
v.	)	Hon. Gonzalo P. Curiel
	)	
FALLBROOK PUBLIC UTILITY	)	
DISTRICT, a public service corporation	)	
of the State of California, et al.,	)	
	)	
Defendants.	)	
	)	

1 Plaintiff-Intervenors Cahuilla Band of Indians and Ramona Band of Cahuilla (“Tribes”)  
2 respectfully move this Court for a 120-day extension of the stay of litigation until September 23,  
3 2013, in order to allow the parties to continue settlement negotiations. Pursuant to this Court’s  
4 Order of January 29, 2013, the stay expires on May 24, 2013. Doc. No. 5407. Extension of the  
5 stay is warranted to allow the parties to devote their time and resources to an out-of-court  
6 settlement. Counsel is authorized to state that the United States, the State of California, the  
7 County of Riverside, Riverside County Flood Control and Water Conservation District, Alvin  
8 Greenwald, the Hemet Unified School District, Agri-Empire and Anza Basin Landowners  
9 Group do not oppose this Joint Motion.  
10  
11

12 Since the last report to the Court on January 25, 2013, the parties have continued their  
13 settlement discussions. Participating parties include: the Tribes; the United States; the State of  
14 California; the County of Riverside and Riverside County Flood Control and Water  
15 Conservation District; Agri-Empire; Alvin Greenwald; the Hemet Unified School District; and  
16 the Anza Basin Landowners Group (“Settlement Parties”). The Santa Margarita River  
17 Watermaster is also participating, as are various hydrologic and engineering consultants on  
18 behalf of the Settlement Parties. The Settlement Parties have continued to make progress in  
19 drafting provisions of a settlement agreement, based on prior agreement regarding framework  
20 concepts and principles.  
21  
22

23 The Settlement Parties have conducted extensive and wide-ranging discussions by  
24 telephonic meetings and by in-person meetings, both as a group and among smaller subsets of  
25 the Parties. Telephonic meetings were held on February 5, March 7, April 8, April 25 and  
26 May 16, 2013. The Settlement Parties met in person on April 9 and May 21, 2013, to continue  
27  
28

1 the discussions. Magistrate Judge Brooks met in chambers with representatives of the Cahuilla  
2 Band of Indians, Agri-Empire and the United States on March 6 and the Settlement Parties  
3 reported by telephone on their progress to Magistrate Judge Brooks on March 8, 2013.  
4

5 A draft settlement agreement is progressing toward completion. The principal concepts  
6 of settlement have been largely finalized, although a number of important issues remain to be  
7 resolved. The Settlement Parties have scheduled teleconferences on June 14 and June 27 to  
8 attempt to resolve a number of the outstanding issues. If the Settlement Parties are unable to  
9 resolve certain issues prior to the in-person status conference with Magistrate Judge Brooks on  
10 July 1, 2013, they intend to discuss those issues with him at that time.  
11

12 The Tribes believe the unresolved issues continue to be narrowed and that an extension  
13 of the stay is justified in order to allow the parties to devote their time and resources to a  
14 negotiated resolution of the Tribes' claims without the distraction, costs, and burdens of  
15 litigation.  
16

17 In addition, the Cahuilla Band of Indians, Agri-Empire and the United States have  
18 continued their discussions of issues unique to those parties. The appraiser hired by Agri-  
19 Empire and the United States is currently drafting his appraisal report. The Cahuilla Band of  
20 Indians, Agri-Empire, the United States and the appraiser will meet with Magistrate Judge  
21 Brooks on July 1, 2013, to report on the appraiser's progress.  
22

23 Based on the foregoing, the Tribes respectfully request that the stay be continued until  
24 September 23, 2013.  
25  
26  
27  
28

1 Respectfully submitted this 24th day of May, 2013.

2  
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18 /s/ M. Catherine Condon

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*Band of Cahuilla*

**DECLARATION OF SERVICE**

I, the undersigned, declare as follows:

I am a citizen of the United States of America, over the age of 18 years, and not a party to the above entitled action. My business address is 1007 Pearl Street, Suite 220, Boulder, Colorado 80302.

On May 24, 2013, I electronically filed on behalf of the Cahuilla Band of Indians and the Ramona Band of Cahuilla the *Joint Motion to Extend Stay in United States of America, et al. v. Fallbrook Public Utility District, et al.*, Case No. 51-cv-1247-GPC-RBB by using the CM/ECF system, which generated and transmitted a notice of electronic filing to the following CM/ECF registrants:

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I further certify that on May 24, 2013, I caused to be served the *Joint Motion to Extend Stay* by depositing a copy in the United States mail at Boulder, Colorado, in an envelope with first class postage fully paid, addressed as follows:

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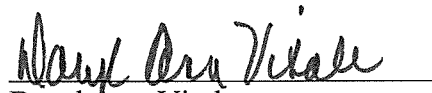
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I declare under penalty of perjury under the laws of the State of Colorado that the above is true and correct.

Executed on May 24, 2013.



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